

represented that the article was effective as a treatment, remedy, and cure for rheumatism, sick and nervous headache, coughs, sore throat, diphtheria and croup, toothache, old sores, spinal affections, lame back, earache, contracted cords and muscles, corns, cramps, and colic pains, diarrhoea, gravel and kidney complaint; and in that certain statements, designs, and devices regarding the curative and therapeutic effects of the article, appearing in an accompanying circular, falsely and fraudulently represented that it was effective as a treatment, remedy, and cure for sore throat, diphtheria, cramps, toothache, lame back, spinal affections, contracted cords and muscles, earache, corns, cramp or colic pains, diarrhoea, kidney complaints, pain in the breast and hoarseness; and effective as a treatment, remedy, and cure for chronic inflammatory rheumatism, sick and nervous headache, coughs, consumption and bronchial affections, catarrh, croup, fever and ague, dyspepsia, lame back of long standing, gravel, piles, and bunions.

On January 7, 1933, the defendant entered a plea of guilty to the information, and on January 31, 1933, the court imposed a fine of \$100.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20572. Adulteration and misbranding of fluidextract of ergot. U.S. v. Seven 1-pint Bottles of Fluidextract Ergot. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 29004. Sample no. 20454-A.)

This action involved a quantity of a product represented to be fluidextract of ergot of pharmacopoeial standard, and which upon examination was found to possess a potency of not more than one half of that required by the United States Pharmacopoeia for the article. The product, because of its low potency, would not produce certain therapeutic effects claimed in the labeling.

On October 6, 1932, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of seven 1-pint bottles of fluidextract of ergot, remaining in the original unbroken packages at Bayonne, N.J., alleging that the article had been shipped in interstate commerce on or about August 20, 1932, by the Chermak Drug Co., of Bayonne, N.J., from the Imperial Drug Exchange, New York, N.Y., to Bayonne, N.J., and charging adulteration and misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "Fluid Extract Ergot, U.S.P. * * * American Pharmaceutical Co., Inc. New York, N.Y."

It was alleged in the libel that the article was adulterated in that it was sold under a name recognized in the United States Pharmacopoeia, "Fluid Extract Ergot", and differed from the standard of strength as determined by the test laid down in the pharmacopoeia, and its own standard of strength was not stated on the container.

Misbranding was alleged for the reason that the following statement on the label was false and misleading: "Fluid Extract Ergot U.S.P. * * * Physiologically Standardized." Misbranding was alleged for the further reason that the following statements on the label, regarding the curative or therapeutic effects of the article, were false and fraudulent: "Action—A powerful stimulant of involuntary muscles especially those of the uterus. An active vaso-constrictor and circulatory stimulant. Uses—Checks postpartum hemorrhage by contracting the uterus. As a routine prophylactic measure post-partum hemorrhage. For the relief of menorrhagia, metrorrhagia, some forms of dysmenorrhea, and atonic conditions of the reproductive organs. Also as a circulatory stimulant. Dose—Average U.S.P.—30 minims (2cc.)."

On November 22, 1932, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20573. Adulteration and misbranding of fluidextract of ergot. U.S. v. Three 1-Pint Bottles of Fluidextract Ergot. Default decree of condemnation and destruction. (F. & D. no. 29805. Sample no. 21637-A.)

This action involved a shipment of fluidextract of ergot, represented to be of pharmacopoeial standard and which was found upon examination to have a potency of about one third of that required by the United States Pharmacopoeia for fluidextract of ergot.

On or about February 7, 1933, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of three 1-pint bottles of fluidextract of ergot, remaining in the original unbroken packages at New Haven, Conn., alleging that the article had been shipped in interstate commerce on or about December 10, 1932, by the American Pharmaceutical Co., Inc., from New York, N.Y., to New Haven, Conn., and charging adulteration and misbranding in violation of the Food and Drugs Act.

It was alleged in the libel that the article was adulterated in that it was sold under a name recognized in the United States Pharmacopoeia, "Fluid Extract Ergot", and differed from the standard of strength as determined by the test laid down in the pharmacopoeia, and its own standard of strength was not stated on the container.

Misbranding was alleged for the reason that the statements on the label, "Fluid Extract Ergot (Fluidextractum Ergotae) U.S.P.", were false and misleading, since the article had a potency of one third of that required by the pharmacopoeia for fluidextract of ergot.

On April 26, 1933, no claimant having appeared for the property, judgment of condemnation was entered and it was ordered by the court that the product be destroyed by the United States marshal.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20574. Misbranding of Stirizol. U.S. v. 21 Bottles of Stirizol. Default decree of condemnation and destruction. (F. & D. no. 29846. Sample no. 32763-A.)

Examination of the drug preparation Stirizol disclosed that the article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed in the circular shipped with the article. It was also represented in the circular that the article was an antiseptic, whereas it was not an antiseptic when used as directed.

On February 15, 1933, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 21 bottles of Stirizol, remaining in the original unbroken packages at Pittsburgh, Pa., alleging that the article had been shipped in interstate commerce on or about October 13, 1932, by the Stirizol Co., Inc., from Ossining, N.Y., to Pittsburgh, Pa., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis of a sample of the article by this Department showed that it consisted essentially of borax and sodium chloride together with small proportions of essential oils, including menthol, thymol, eucalyptol, and methyl salicylate. Bacteriological tests showed that the product was not antiseptic when used in the dilution directed for a douche.

It was alleged in the libel that the article was misbranded in that the following statements appearing in the circular accompanying the article were false and misleading, since the product as used would not be antiseptic: "Doctors have long had access to efficient antiseptic solutions, but womankind in general had no simple method of hygiene, that was non-poisonously medicated. They now demand that such means be placed at their disposal. They know that soap and water are not enough for the proper care of those 'difficult-to-reach' parts of their bodies where bacteria are discharged in waste matter. They know that bacteria cause trouble if not removed, and that dangerous infections are apt to occur. * * * Women often use antiseptics which do more harm than good, simply because they know of nothing better. Solutions containing carbolic acid, bichloride of mercury, creosote, and other poisonous caustic compounds are still, unfortunately, quite common, though disguised under many names. These compounds have a certain germicidal action, but they are often very harmful in effect. Their corrosive action burns and hardens the delicate walls of the vagina, so that it eventually will not function as nature intended. Yet it is absolutely unnecessary that women endanger their health by using these strong poisonous solutions. A medicated solution which is soothing and healing, but which cannot harm the most delicate tissue, is now available for your protection. * * * The correct solution is one heaping teaspoonful to each two quarts of water." Misbranding was alleged for the further reason that the following statements appearing in